

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:21-CR-142-D

UNITED STATES OF AMERICA     )  
  )  
                          v.                )  
  )  
STEPHANIE DIANNA ELLIOTT,     )  
  )  
                          Defendant.     )

**ORDER**

On September 30, 2022, Stephanie Dianna Elliott (“Elliott” or “defendant”) filed a pro se motion to withdraw court’s acceptance of defendant’s presentence investigation report (“PSR”). See [D.E. 90]. Elliott’s case is currently on appeal before the United States Court of Appeals for the Fourth Circuit. See [D.E. 60]. The United States Court of Appeals for the Fourth Circuit has jurisdiction. See, e.g., Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (per curiam); United States v. Sanders, No. 1:17-CR-29-HAB, 2020 WL 3268492, at \*1 (N.D. Ind. June 17, 2020) (unpublished); United States v. Watts, No. CR 16-104, 2020 WL 3036545, at \*2 (M.D. La. June 5, 2020) (unpublished); United States v. Belton, No. 5:18-CR-113-FL-1, 2020 U.S. Dist. LEXIS 75837, at \*2 (E.D.N.C. Apr. 29, 2020) (unpublished). Elliott may contact her court-appointed appellate counsel if she has questions. See [D.E. 64]. The court DISMISSES WITHOUT PREJUDICE defendant’s motion to withdraw court’s acceptance of defendant’s PSR. See [D.E. 90].

SO ORDERED. This 18 day of November, 2022.

  
JAMES C. DEVER III  
United States District Judge